

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CRAIG SMITH

Petitioner,
-against-

JOHN W. BURGE, Superintendent,

Respondent.

USDC SDNY
DOCUMENT
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DATE FILED: 4/21/08

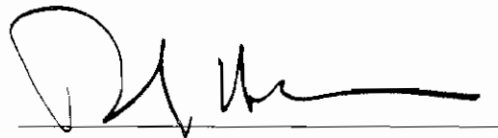
07 Civ. 5679 (RJH) (THK)

ORDER

On March 25, 2008, Magistrate Judge Theodore Katz issued a Report and Recommendation ("Report") recommending that this action be transferred to the United States Court of Appeals for the Second Circuit pursuant to 28 U.S.C. § 1631. No objections have been filed to the Report. In the absence of objections, the Court reviews the Report for clear error. *See Edwards v. Fischer*, 414 F. Supp. 2d 342, 346-47 (S.D.N.Y. 2006). Finding none, the Court adopts the Report and transfers this action to the Second Circuit.

SO ORDERED.

Dated: New York, New York
April 21, 2008



Richard J. Holwell
United States District Judge